

State of Florida Property Tax Assessments Statutes

Basis for Property Tax Assessments – Market Value

Property is assessed at its just valuation (Sec. 4, Art. VII, Fla. Const.), which is determined by considering the property's (1) present cash value (i.e., what the property would sell for in an arm's-length transaction), (2) highest and best use, (3) location, (4) size, (5) cost, including the present replacement value of any improvements, (6) condition, and (7) income, as well as the net proceeds of the sale of the property, after deduction of all reasonable fees and costs and allowing for unconventional financing arrangements (Sec. 193.011, F.S.). The highest and best use is determined by taking into consideration the legally permissible use of the property, including any applicable judicial limitation, local or state land use regulation, or historic preservation ordinance, and, effective October 1, 2008, any zoning changes, concurrency requirements, and permits necessary to achieve the highest and best use (Sec. 193.011(2), F.S.).

Real Property Defined

Real property is defined as land, buildings, fixtures, and all other improvements to land (Sec. 192.001(12), F.S.).

Personal Property Defined

Tangible personal property is defined as all goods, chattels, and other articles of value capable of manual possession and whose chief value is intrinsic to the article itself (Sec. 192.001(12), F.S.).

Intangible Property Taxes

Prior to 2007, all intangible personal property having a taxable situs in the state and not specifically exempted was subject to an annual tax based on its just valuation as of January 1 of each year (Former Sec. 199.103, F.S.). Intangible personal property is defined as all personal property not intrinsically valuable, but which does represent a particular value (Sec. 199.023, F.S.). The annual intangible personal property tax was repealed, effective January 1, 2007, except as it relates to qualifying government leasehold interests (Ch. 2006-312 (H.B. 209), Laws 2006). No substantive change was made to the 2-mill, nonrecurring tax imposed on obligations secured by liens on Florida property. Exemptions from the nonrecurring tax are available with respect to corrective mortgages, assignments, assumptions, and refinancings (Sec. 199.145, F.S.).

